



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

AUG 29 2005

Mr. Ken Straitz  
Facility Manager  
American Ref-Fuel Company of Hempstead  
600 Merchants Concourse  
Westbury, New York 11590

Re: Hempstead Resource Recovery Facility  
Facility-Specific F-factor

Dear Mr. Straitz:

This is in response to your July 19, 2005 letter addressed to Frank Jon. of my staff, regarding your proposed replacement of the current F-factor (14,389 dscf/MMBTU) from EPA Reference Method 19 with a facility-specific F-factor (15,100 dscf/MMBTU) that is based on actual testing at the facility. There is a provision in the permit condition approved by EPA last year that allows this replacement. This F-factor is used in the calculation to convert the measured concentration of NO<sub>x</sub> (ppm) to mass emissions which is subsequent used to determine compliance with the facility-wide 1,457 tons/year NO<sub>x</sub> limit.

In proposing your facility-specific F-factor, you took into consideration various 1-hour compliance test runs that were conducted from 2001 through 2003 and the October 2004 Relative Accuracy Test Audit (RATA) results. All three boilers passed the 2004 RATA with relative accuracies of 17.3%, 17.3% and 13.9%, respectively. These results were relatively close to the limit of 20% and Hempstead believes that it would be prudent to improve the accuracy through substitution of the F-factor to help ensure continued success during future audits. Since Hempstead did not complete the mass emissions RATA for 2001-2003, the proposed facility-specific F-factor is based on a percent difference rather than a relative accuracy methodology. By increasing the F-factor to 15,100 dscf/MMBTU, the calculated mass emissions will be increased by approximately 5 percent, which will reduce the average RATA percent difference from the reference method to about 4.3%.

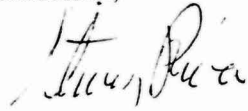
EPA has reviewed your request and has determined that it is not appropriate to change the value of the F-factor based on a percent difference just to reduce the average RATA percent difference from the reference method. A more appropriate way to determine a facility-specific F-factor is delineated in Method 19. Method 19 shows how to calculate the facility-specific F-factor based on the fuel or waste analysis. This methodology should provide a facility-specific F-factor that is more defensible. In order for EPA to properly assess the approvability of the facility-specific



F-factor, Hempstead should submit, for agency approval, a protocol that explains what data Hempstead will use to calculate the facility F-factor.

If you have any questions regarding the above, please contact Mr. Jon at (212) 637-4085.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven C. Riva". The signature is fluid and cursive, with the first name "Steven" and last name "Riva" clearly distinguishable.

Steven C. Riva, Chief  
Permitting Section  
Air Programs Branch

cc: Syed Rahman, P.E., Environmental Engineer  
NYSDEC - Region 1





bcc: Frank Jon  
S. Riva  
Donald Wright  
File 3A



THIS IS NOT A PERMIT

**New York State Department of Environmental Conservation  
Notice of Complete Application**

*Date:* 07/15/2010

*Applicant:* COVANTA HEMPSTEAD COMPANY  
600 MERCHANTS CONCOURSE  
WESTBURY, NY 11590

*Facility:* HEMPSTEAD RESOURCE RECOVERY FACILITY  
600 MERCHANTS CONCOURSE  
WESTBURY, NY 11590

*Application ID:* 1-2820-01727/00028

*Permits(s) Applied for:* 1 - Article 19 Air Title V Facility

*Project is located:* in HEMPSTEAD in NASSAU COUNTY

*Project Description:*

The Department has prepared a draft permit and has made a tentative determination to issue a renewal of the air Title V permit for the Hempstead Resource Recovery Facility. The Hempstead Resource Recovery Facility is a 975,000 ton per year Energy from Waste facility that consists of 3 emission points, each of which is a separate flue that discharges at the top of a 381.5 ft stack. Each emission point is fed from an independent combustor that processes municipal solid waste, including residential, non-hazardous commercial, and governmental and/or institutional wastes, and other non-hazardous industrial waste streams approved by NYSDEC on a case by case basis. These units may also combust unadulterated wood as auxiliary fuel, to increase the BTU content of the waste.

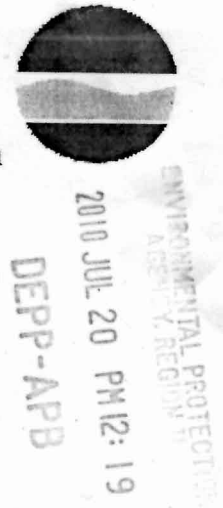
The waste is burned on a series of roller grates and heat from combustion is recovered in a 4 pass water wall boiler. After heat recovery, the flue gas enters an acid gas scrubber and then a fabric filter baghouse before finally exiting the stack. Each combustion train is also equipped with urea-based Selective Non-Catalytic Reduction NOx control equipment.

The facility is authorized to use leachate in the spray dry absorbers (SDA) in accordance with approved BUD No. 958-1-30 dated September 23, 2009, which was issued by the NYSDEC Division of Solid and Hazardous Materials.

In accordance with 6NYCRR Parts 621.7(b)(9) and 201-6.4(c), the Administrator of the United States Environmental Protection Agency (USEPA) has the authority to bar issuance of any Title V Facility Permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

Persons wishing to inspect the subject Title V files, including the application with all relevant supporting materials, the draft permit, and all other materials available to the DEC (the "permitting authority") that are relevant to this permitting decision should contact the DEC representative listed below. The Draft Permit and Permit Review Report may be viewed and printed from the Department web site at:

<http://www.dec.ny.gov/chemical/32249.html>.





DEC will evaluate the application and the comments received on it to determine whether to hold a public hearing. Comments and requests for a public hearing should be in writing and addressed to the Department representative listed below. A copy of the Department's permit hearing procedures is available upon request or on the Department web site at: <http://www.dec.ny.gov/permits/6234.html>.

*Availability of Application Documents:*

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

*State Environmental Quality Review (SEQR) Determination*

Project is not subject to SEQR because it is a Type II action.

*SEQR Lead Agency* None Designated

*State Historic Preservation Act (SHPA) Determination*

The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

*DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)*

It has been determined that the proposed action is not subject to CP-29.

*Availability For Public Comment*

Comments on this project must be submitted in writing to the Contact Person no later than 08/27/2010 or 30 days after the publication date of this notice, whichever is later.

*Contact Person*

SUSAN ACKERMAN  
NYSDEC  
SUNY @ STONY BROOK|50 CIRCLE RD  
STONY BROOK, NY 11790-3409  
(631) 444-0357

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**CC List for Complete Notice**

ENB

Tam Spawdon

Air Engineer

Conn DEP

NJ DEP

Steve Riva - USEPA

ENVIRONMENTAL PROTECTION  
REGION I

2010 JUL 20 PM 12:19

DEPP-APB

**New York State Department of Environmental Conservation**

**Division of Environmental Permits, 4<sup>th</sup> Floor**

625 Broadway, Albany, New York 12233-1750

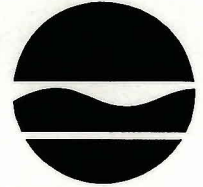
Phone: (518) 402-9167 • FAX: (518) 402-9168

Website: [www.dec.ny.gov](http://www.dec.ny.gov)

ENVIRONMENTAL PROTECTION  
AGENCY, REGION II

2008 JUN 26 PM 3: 05

DEPP-APB



Alexander B. Grannis  
Commissioner

June 24, 2008

Mr. Steven Riva, Chief Permitting Section  
Air Programs Branch  
US EPA Region 2  
290 Broadway  
New York, NY 10007-1866

Re: Proposed Permit - Title V Facility Permit Modification  
*Permittee:* COVANTA HEMPSTEAD COMPANY  
*Facility:* HEMPSTEAD RESOURCE RECOVERY FACILITY  
*Application ID:* 1-2820-01727/00028  
*Project is located:* in HEMPSTEAD in NASSAU COUNTY

Dear Mr. Riva:

The Proposed Permit for the above referenced facility's Title V Facility Permit is available for the required EPA 45-day review period. The Proposed Permit is available to you via the Department's AFS computer system.

The Department's May 2, 2008 Notice of Complete Application was published in a local newspaper and the DEC's Environmental Notice Bulletin, providing the required 30-day public notice period. This notice referenced the availability of the Draft Permit. The comment period expired on June 13, 2008.

No comments were received, and the Proposed Permit has no substantive changes from the Draft Permit.

The Department will not issue the Final Permit if EPA objects to its issuance within 45 days of receipt of the Proposed Permit and all necessary supporting information. We understand that the official review period start and end dates are recorded in your Title V Operating Permits Database ([http://www.epa.gov/region02/air/permit/title\\_v\\_database.htm](http://www.epa.gov/region02/air/permit/title_v_database.htm)).

If you have technical questions about this permit, you may contact the permit writer, Steve Yarrington at 518-402-8403 or [smyarrin@gw.dec.state.ny.us](mailto:smyarrin@gw.dec.state.ny.us). Please provide your comments to my attention on or before the review period end date.

Sincerely,

Stuart M. Fox  
Environmental Analyst 2

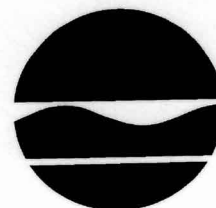
cc: Mr. Scott Wheeler  
Covanta Hempstead Company  
600 Merchants Concourse  
Westbury, NY 11590

S. Yarrington





New York State Department of Environmental Conservation  
Division of Environmental Permits  
Building 40 - SUNY, Stony Brook, New York 11790-2356  
Telephone (516) 444-0365  
Facsimile (516) 444-0360



John P. Cahill  
Commissioner

June 8, 1999

USEPA - Region II  
Air & Waste Management Division  
290 Broadway  
New York, NY 10007-1866  
Attn.: Steven Riva

RE: Title V Air Facility  
1-2820-01727/00028  
Hempstead Resource Recovery Facility

Dear Mr. Riva:

The comment period for the above facility expired on March 19, 1999. Comments were received from the applicant dated March 19, 1999 and I have enclosed a copy of the Title V Responsiveness Summary for your review.

Pursuant to 6 NYCRR Part 201-6.4(c) we would like to commence the required 45 day EPA review period. The permit is available for your review on the New York State Air Facility System (AFS). If the EPA has any comments or objections to the permit being issued, please forward them to myself at the above address.

If no comments are received from the EPA within 45 days of the date of their letter (July 27, 1999), we will assume the EPA has no comments or objections and that the permit can be issued. If you have any questions regarding this matter, I can be reached at (516) 444-0364.

Sincerely,

Carol A. Farkas  
Environmental Analyst

CAF/lis  
enclosure  
cc: S. Rahman  
S. Shah  
A. Cava

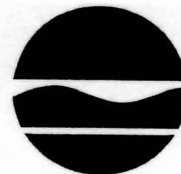


# **New York State Department of Environmental Conservation**

## **Division of Air Resources, Region One**

Building 40 - SUNY, Stony Brook, New York 11790-2356

Phone: (516) 444-0205 FAX: (516) 444-0209



John P. Cahill  
Commissioner

June 2, 1999

### **Title V Responsiveness Summary** **Hempstead Resource Recovery Facility** **Title V Application No. 1-2820-01727/00028**

Following is the responsiveness summary for comments received from the Applicant (letter from Mr. Marty Suchan, American Ref-Fuel of Hempstead, dated March 19, 1999 to Ms. Carol Farkas of New York State Department of Environmental Conservation) during the public notice and comment period ending March 19, 1999. The comment number corresponds to the number listed in March 19, 1999 letter.

#### **Comment No. 1**

**In general, the layout of the permit makes it difficult to manage and use on a day-to-day basis. A number of items are left for interpretation, especially concerning the implementation of MACT standards. Specifically, it is not clear when limits for new contaminants take effect, or when revised limit will supercede the current ones. In past discussions with the Department's Air program, we have indicated our belief that all of the existing limits should be replaced with the MACT standards. This is based on the methodology used by the US Environmental Protection Agency (USEPA) to establish the standards at a level that adequately protects the environment. This is still our preference. However, at a minimum, we request that a table be provided that clearly states all of the emission limits with averaging periods, monitoring frequency, effective date and expiration date. This will prevent any misunderstandings between the company and the Department when the permit becomes effective.**

#### **Response:**

Responses to the above comment have been divided into four subsections as follows.

##### **A. *Existing Conditions versus MACT Standards***

The Title V Permit is the result of the federal regulation 40CFR Part 70 Operating Permit Program as adopted by the State of New York through the 6NYCRR Part 201 (permit) regulation. It compiles all applicable requirements, both existing and new, into one legal document. The Department has stated to the facility, during meetings and telephone discussions, that Title V Permit will not automatically



replace the existing permit limits with the newly enacted federal guidelines (hereby referred as MACT standards by the applicant) applicable to the facility, unless an existing limit clearly demonstrates that it is less stringent than the emissions guidelines for that particular parameter.

Hempstead Resource Recovery Facility was originally permitted under the federal regulations 40 CFR 52-A.21, Prevention of Significant Deterioration (PSD) of air quality, and Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) reviews, and 6NYCRR Part 219 (incinerators) regulations. At present, all large existing municipal waste combustors are also required to comply with the 40CFR60, Subpart Cb Emissions Guidelines in accordance with the compliance schedule incorporated in the Title V Permit.

PSD permit conditions were developed based on the air quality of the geographical location of the facility and the BACT analysis. Nonattainment pollutants required LAER analysis. The existing conditions were also developed with site-specific Health Risk Analysis which underwent an intensive public review at the time of permitting the facility. The Department has no right to reverse any stringent requirements without the reassessment by the applicant, the BACT, LAER and the health risk analysis conducted previously. Therefore, the existing permit conditions (as listed in the Title V Permit) will not be replaced by the 40CFR60, Subpart Cb requirements, unless any particular existing condition is determined to be less stringent by the Department. If an existing condition is determined to be less restrictive, the description of the existing condition clearly specifies that it will be superceded with the 40CFR60 Subpart Cb limits once compliance with the latter regulation becomes effective. The superceded conditions will be removed from the permit at the next permit renewal.

B. *Implementation of MACT Standards:*

In accordance with the item No. 5 of Compliance Schedule listed in Condition No. 64 of the Draft Permit (dated February 4, 1999), the facility shall be in full compliance with the **December 19, 1995** Emissions Guidelines 40 CFR Part 60, Subpart Cb, on or before December 19, 2000.

The permittee shall be in full compliance with the **August 25, 1997** Federal Amendments to 40CFR Part 60, Subpart Cb (which pertains to the emission limits for sulfur dioxide, hydrogen chloride, oxides of nitrogen and lead only), within three years after the date USEPA approval of New York's Section 111 (d)/129 revised State Plan for the implementation of the amended emission guidelines or August 26, 2002, whichever is earlier. USEPA has approved the revised State Plan on April 12, 1999, which means the facility must comply with this on or before April 12, 2002. This later State Plan approval came after the Draft Permit public notice period. The Department has subsequently revised the permit



conditions to reflect the effective date of April 12, 2002 for the federal amendments.

Note that the Department has already incorporated the above implementation time line into the facility's existing permit via two Permit Modifications, dated June 19, 1998 and October 27, 1998 respectively. The applicant is aware of these implementation dates.

C. *Permit Layout and Summary Table*

As indicated earlier, Title V is a legal document which compiles all applicable requirements. Each Compliance Monitoring type of permit condition clearly identifies the following:

- i) Regulated Contaminants with CAS number,
- ii) Monitoring Type,
- iii) Monitoring Description,
- iv) Parameter Monitored,
- v) Limit of Monitoring,
- vi) Reference Test Method,
- vii) Monitoring Frequency,
- viii) Averaging Method and
- ix) Reporting Requirements.

In addition, a Summary of Compliance Requirements is printed out at the end of the Permit. This summary is not enforceable but is merely intended to provide a concise view of the monitoring requirements. A standard format is maintained for the permit structure of all major and synthetic minor facilities throughout the State. This standard format cannot be modified to satisfy individual requests. It is the applicant's responsibility to customize this legal document to fulfill their need and own internal use.

D. *Effective and Expiration Dates*

The Final Permit will show the exact effective and expiration dates for each condition. All conditions are effective on the date of permit issuance. The expiration date will be five years from the issuance date. This also applies to 40CFR 60, Subpart Cb requirements, except the full compliance with 1995 Subpart Cb and 1997 Subpart Cb shall be achieved on or before December 19, 2000 and April 12, 2002, respectively.

**Comment No. 2**

**There are a number of conditions that include the qualifier "where applicable," or similar wording. We request that the Department determine whether these conditions are applicable prior to issuing the permit and remove any items that are not.**

Response:





The qualifier "where applicable" is generally used in the General Provisions and if so, these cannot be removed or revised. The applicant was not specific about the location of similar wording. However, a quick review of the draft permit revealed no such wording as "where applicable."

**Comment No. 3**

**There are also a number of conditions, specially those relating to emission limits, that reference compliance at a time period based on USEPA approval of the State Plan. Since, to our best knowledge, the State plans have already been approved, we request that the actual dates of the compliance be substituted. This would clarify some of the ambiguity referenced in comment # 1 above.**

**Response:**

This pertains to the revised State Plan for August 25, 1997 Federal Amendments to 40CFR Part 60, Subpart Cb requirements for sulfur dioxide, hydrogen chloride, oxides of nitrogen and lead emissions. USEPA has approved the State Plan for this amendment on April 12, 1999. This later State Plan approval came after the Draft Permit public notice period. The permit conditions have been revised to reflect the effective date of April 12, 2002 for the federal amendments.

**Comment No. 4**

**There is no reference in the permit to authorization to install a nitrogen oxide (NOx) reduction system, which required to meet the MACT emission limit (Condition 59), as detailed in the facility's Compliance Plan dated May 5, 1998. We request that the Department add such a condition to the permit, or clarify in writing that installation of the NOx reduction system is permitted.**

**Response:**

The Federal Emissions Guidelines (40CFR60, Subpart Cb) set specific emission limits for NOx. The permittee will be responsible for meeting the emission limits at all times once full compliance with the requirements becomes effective (i.e, on or before December 19, 2000 and April 12, 2002 for 1995 Subpart Cb and 1997 Subpart Cb amendments respectively), regardless of the control technology selected.

The Department has received the Compliance Plan dated May 5, 1998. The applicant proposes to use the Selective Non-Catalytic Reduction (SNCR) system for NOx control. The Department acknowledges the use of SNCR and the Compliance Plan will remain as part of the Title V Permit Application. Creating a separate condition to confirm the concurrence of the control technology selected by the applicant is not necessary.

**Comment No. 5**

**Condition 7, Item 7.1 (a) states that facilities subject to continuous stack monitoring and quarterly reporting are not required to submit reports for equipment maintenance or startup/shutdown, while Condition 20, Item (20.2) (iv) seems to state**



**that such reports are required. Please clarify the requirements for Hempstead facility.**

Response:

If the facility is subject to continuous stack monitoring (i.e., equipped with continuous emissions monitoring system) and quarterly reporting requirements, the facility need not submit the reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative unless requested by the Department or required elsewhere in the permit. Hempstead Resource Recovery Facility is subject to continuous stack monitoring and quarterly reporting requirements. Therefore, they need not submit the reports for equipment maintenance or start-up/shutdown unless requested by the Department. The word "Except" from the Condition 20, Item 20.2 (iv) has been deleted.

**Comment No. 6**

**Conditions 48 and 50 through 62 are all MACT emissions limits that do not take effect until October 1999. The permit as written implies that the limits are effective as soon as the permit is issued. As indicated in comment #1 above, we request that the effective date of these conditions be clearly stated.**

Response:

As indicted in the response to Comment No. 1, all permit conditions including the 40CFR60, Subpart Cb requirements, will be effective on the date of permit issuance. However, the facility shall achieve full compliance with 1995 Subpart Cb and 1997 Subpart Cb on or before December 19, 2000 and April 12, 2002, respectively. The final permit printout will show the exact dates. The October 1999 date as stated by the applicant is not applicable for this facility.

**Comment No. 7**

**Condition 48 is the first of many references to an annual stack test report that will be due "13 months after Permit Issue Date for the first annual (12 month) period." For consistency and ease of scheduling among the company's six facilities, we request that the stack test requirement continue to be once per calender year (as indicated in Condition 67, Item 67.2). We further request that the first test be required within 180 days after the final compliance date for each parameter, as provided in the USEPA guidance to the states. In addition, one month following testing for submittal of the final report is not adequate. We request continuance of the current 120 days for submittal of a final report.**

Response:

The Department has revised the reporting requirements for the parameters to be monitored annually (i.e., annual stack test parameters) from "13 months after Permit Issue Date for the first annual (12 month) period" to *"Once / Batch or Monitoring Occurrence."* Monitoring Frequency will remain as *Annual*.



Regarding the initial stack test, the requirements of 40CFR60, Subpart A (General Provisions), Section 60.8 (Performance tests), Paragraph (a) will govern which is repeated as follows:

“Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after the initial startup of such facility and at such other times as may be required, the owner or the operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).”

Therefore, the facility must conduct stack tests within 60 days of the full compliance deadlines (i.e., December 19, 2000 and April 12, 2002, for 1995 Subpart Cb and 1997 Subpart Cb, respectively). Unless for specific reasons the facility demonstrates that the maximum production rate cannot be achieved after installation of emission control equipment or process change as identified in the Compliance Plan, the 180-day requirement will not be applicable.

According to 6NYCRR Part 202-1.3, “Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, *unless additional time is requested in writing.*” This Part 202-1.3 condition is a general requirement for all major facilities and has been added to the permit for clarification.

#### **Comment No. 8**

**Condition 49 is first of many references to submission of quarterly emission reports on a schedule based on the permit anniversary. Again, for consistency and ease of record keeping, we request that the quarterly emission reports continue to be based on the calendar quarters (January - March, April - June, July September, October - December) and that they be due within 30 days of the end of the quarter.**

Response:

Comment well taken. The reporting requirement for the quarterly emission reports has been revised to “Reports due 30 days after each calendar quarter (January - March, April - June, July September, October - December).”

#### **Comment No. 9**

**Condition 63, Item 63.2, discusses the option of monitoring emissions using carbon dioxide for diluent corrections rather than oxygen and the method for establishing the relationship. However, there is no explanation of how to determine compliance during the period between the effective date of the new MACT limits and submission of the initial performance test report. We propose to use data from previous performance testing to determine the relationship during this period.**

Response:



The proposed use of data from previous performance testing to establish the relationship between carbon monoxide and oxygen for the interim period as explained above appears to be acceptable. However, the applicant shall clearly outline this proposal including the performance test results in the future Stack Test Protocol for the Department's concurrence.

**Comment No. 10**

**Condition 64, Item 64.2 states that the permittee shall submit a Compliance Plan to the Department on or before May 9, 1998. We submitted this plan on May 5, 1998. Since May 1998 has passed, this condition as currently written, could be misinterpreted as non-compliance. Therefore, we request that the condition be corrected to include the plan submittal date.**

Response:

The Department has received the Compliance Plan dated May 5, 1998 as required by Item No. 1 of the Compliance Schedule. Therefore, the applicant has met this deadline. There should not be any concern for misinterpretation for non-compliance. As indicated in response to Comment No. 4, the Compliance Plan will remain as part of the Title V Permit Application. The incremental steps for progress toward compliance as outlined in the Compliance Schedule cannot be revised each time the facility meets an item. The Compliance Schedule will remain as is in the permit until the permit is due for renewal.

**Comment No. 11**

**Condition 72, Item 72.2 references compliance with the mass rate (lb/hr) limit for nitrogen oxides as demonstrated by the continuous emissions monitoring system (CEMS) and annual stack testing. As recently clarified with the Department's Air program, the Hempstead facility does not have a requirement for CEMS monitoring on a mass rate basis. Therefore, please remove the reference to CEMS in this condition.**

Response:

The condition has been revised to reflect that the compliance will be based on annual stack emission tests only.

**Comment No. 12**

**Condition 78, Item 78.2 discusses Subpart Db and the use of various fuels. It appears that the word "not" should be removed from the first line of the monitoring description.**

Response:

The monitoring description of the permit condition states that "The facility shall not have an annual capacity factor for coal, oil, natural gas or a mixture of those fuels as defined in 40CFR Part 60, Subpart Db, of 10% or more." If the word "not" is removed, then the





word "more" should be replaced with "less." Therefore, the permit language is consistent with the regulation and doesn't require any revision.

**Comment No. 13**

**Condition 83, Item 83.2 requires continuation of the current limit for 8-hour combustion efficiency (CE), which is a straight calculation from carbon monoxide (CO). Since the MACT standards require monitoring of carbon monoxide on a 4-hour basis, we request that Condition 83 be changed to 100 ppm CO (which is referenced in the condition as currently written) on an 8-hour running average, after the MACT limits take effect. This is simply a data calculation change that will allow the operators to concentrate on one value rather than two during daily operations.**

**Response:**

The Department has clarified the above issue by a letter dated December 14, 1998 from Mr. Syed Rahman to Mr. Marty Suchan. The content of this letter is repeated below:

Further review of your original Air Permit Application dated February 1986, reveals that carbon monoxide (CO) was cited as nonattainment pollutant and subjected to New Source Review (6NYCRR Part 231) regulation. Subsequently, a LAER analysis was performed for this contaminant. The estimated annual emissions of CO were based on the concentration of 100 ppm for the 8-hour running average. We have also discussed this matter with USEPA. Since a possible scenario exists when the 8-hour running average may exceed without any exceedance of 4-hour block average (as required by MACT standard) and vice versa, the Combustion Efficiency of 99.92% (100 ppm CO for 8-hour running average) will not be superceded and will remain in the Title V Permit under the citation of 6NYCRR Part 231-1.4 (LAER).



**New York State Department of Environmental Conservation**

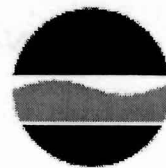
**Division of Environmental Permits**

NYSDEC HEADQUARTERS

625 BROADWAY

ALBANY, NY 12233

(518) 402-9167



May 05, 2008

SCOTT WHEELER  
COVANTA HEMPSTEAD COMPANY  
600 MERCHANTS CONCOURSE  
WESTBURY, NY 11590

Re: DEC ID # 1-2820-01727/00028  
HEMPSTEAD RESOURCE RECOVERY FACILITY

Dear Permittee Agent :

This letter is to advise you that the Department proposes to modify the permit(s) referenced above, as explained in the enclosed Notice of Intent to Modify. Pursuant to 6NYCRR Part 621.13(d), should you object to the modification you may submit a written statement giving reasons why your permit should not be modified or you may request a hearing or both. Statements and requests for hearing must be submitted by 6/13/2008, and should be sent to me at the above address.

The modification is classified as major, therefore, procedurally the proposal will be treated as if it were an application for a new permit. Public notice and opportunity for comment are required. The Department will publish the Notice of Intent to Modify in the *NYSDEC Environmental Notice Bulletin*, and the following newspaper(s) once during the week of 5/12/2008. The Department will bear the cost of publication.

NEWSDAY  
2 PARK AVE  
NEW YORK, NY 10016

The final decision on permit modification will await consideration of your statement and public comment or the conclusion of hearing proceedings.

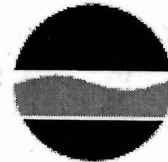
If you have any questions please contact me at the address or phone number above.

Sincerely,

STUART M FOX  
Division of Environmental Permits

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**New York State Department of Environmental Conservation  
Notice of Intent to Modify**



*Date:* May 02, 2008

*Permittee:* COVANTA HEMPSTEAD COMPANY  
600 MERCHANTS CONCOURSE  
WESTBURY, NY 11590

*Facility:* HEMPSTEAD RESOURCE RECOVERY FACILITY  
600 MERCHANTS CONCOURSE  
WESTBURY, NY 11590

*Application ID:* 1-2820-01727/00028

*Permits(s) being Modified:* 1 - Article 19 Air Title V Facility

*Project is located:* in HEMPSTEAD in NASSAU COUNTY

*Project Description:*

The Department has prepared a draft permit and has made a tentative determination to issue a department-initiated modification to the issued Title V Facility Permit to revise emission limits, operating practices and performance testing and monitoring due to changes made to 40 CFR Part 60 Subpart Cb on May 10, 2006. The emission limits for cadmium, lead, mercury, and particulate matter were revised downward. Other major revisions include changes to operator stand-in provisions and continuous emissions monitoring data availability. These emission limits were revised based on year 2000 to 2005 test data from more than a dozen municipal waste combustor units.

The Hempstead Resource Recovery Facility is a waste to energy facility combusting municipal solid wastes, and is located at the intersection of Meadowbrook Parkway and Merchants Concourse in Westbury. The three combustors are equipped with separate flues that are vented through a common stack, acid gas scrubbers, fabric filter baghouses, selective non-catalytic reduction NOx (nitrogen oxides) control equipment, and continuous emission monitors.

In accordance with 6NYCRR Parts 621.7(b)(9) and 201-6.4(c), the Administrator of the United States Environmental Protection Agency (USEPA) has the authority to bar issuance of any Title V Facility Permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

Persons wishing to inspect the subject Title V files, including the application with all relevant supporting materials, the draft permit, and all other materials available to the DEC (the "permitting authority") that are relevant to this permitting decision should contact the DEC representative listed below. The Draft Permit and Permit Review Report may be viewed and printed from the Department web site at:

<http://www.dec.ny.gov/chemical/32249.html>.

DEC will evaluate the application and the comments received on it to determine whether to hold a public hearing. Comments and requests for a public hearing should be in writing and addressed to the Department representative listed below. A copy of the Department's permit hearing procedures is available upon request or on the Department web site at: <http://www.dec.ny.gov/permits/6234.html>.

*Availability of Application Documents:*

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

*State Environmental Quality Review (SEQR) Determination*

Project is not subject to SEQR because it is a Type II action.

*SEQR Lead Agency* None Designated

*State Historic Preservation Act (SHPA) Determination*

The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

*Coastal Management*

This project is not located in a Coastal Management area and is not subject to the Waterfront Revitalization and Coastal Resources Act.

*Availability For Public Comment*

Comments on this project must be submitted in writing to the Contact Person no later than 06/13/2008 or 30 days after the publication date of this notice, whichever is later.

*Contact Person*

STUART M FOX  
NYSDEC  
625 BROADWAY  
ALBANY, NY 12233  
(518) 402-9167

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**CC List for Notice of Intent to Modify**

Chief Executive Officer  
Region 2 USEPA  
CT DEP  
NJ DEP  
File

